

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**GENE E. PHILLIPS,**

**Plaintiff,**

**v.**

**GOOGLE INC.,**

**Defendant.**

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**C.A. No. 3-07-CV-1236-B**

**PLAINTIFF'S MOTION FOR VOLUNTARY DISMISSAL**

**TO THE HONORABLE JUDGE OF SAID COURT:**

**COMES NOW** Gene E. Phillips ("Phillips" or "Plaintiff") and pursuant to the Federal Rules of Civil Procedure and the Local Rules for the U.S. Northern District of Texas, files this his Motion for Voluntary Dismissal, asking the Court to dismiss his suit against Defendant Google Inc. The grounds for this Motion for Voluntary Dismissal are set forth in the accompanying Memorandum, which is incorporated herein by reference. Plaintiff respectfully requests that the Court grant Plaintiff's Motion for Voluntary Dismissal, dismiss his suit against Defendant Google Inc., and grant Plaintiff such other and further relief to which Plaintiff may be justly entitled.

Respectfully submitted,

**FRIEDMAN & FEIGER, LLP**

By: /s/ Carter Boisvert  
**Lawrence J. Friedman**  
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**Carter Boisvert**  
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**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF CONFERENCE**

This is to certify that the undersigned conferred with counsel of record for Google Inc., Erin Dwyer, on July 12, 2007, and Mr. Dwyer has agreed to the relief requested in Plaintiff's Motion for Voluntary Dismissal and has stipulated to the dismissal of this lawsuit.

/s/ Carter Boisvert  
Carter Boisvert

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing was served on all counsel of record on this the 12th day of July 2007, in accordance with the Federal Rules of Civil Procedure.

/s/ Carter Boisvert  
Carter Boisvert